

JAN 22 2004

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FAX

C O V E R

S H E E T

## LYNCH, COX, GILMAN &amp; MAHAN, P.S.C.

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TO: Christina Ildebrando  
United States Patent and Trademark Office

FAX: (703) 872-9306

FROM: Scott R. Cox, Reg. No. 31,945

DATE: January 22, 2004

No. Pages (including cover): 53 (Part I)

Operator: Holly

Re: In Re appl. of: Jaussaud, Dave et. al.  
Serial No.: 10/054,041 Art Unit: 1725  
Filing Date: Jan. 22, 2002 Examiner: Christina Ildebrando  
For: PROCESS FOR PRODUCTION OF MOLECULAR SIEVE ADSORBENT  
BLENDS

Attorney Docket No.: P-1084 Confirmation No.: 1381

Attached is correspondence date January 22, 2004, along  
with its enclosures.If you should have any questions concerning this fax,  
please contact me.*Scott R. Cox, Attorney*THE INFORMATION CONTAINED IN THIS FAX IS ATTORNEY/CLIENT PRIVILEGED AND CONFIDENTIAL,  
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Client #: 93805

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January 22, 2004

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JEFFERSONVILLE, INDIANA 47130

TELEPHONE

(812) 283-7838

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: In re application of: Dave Jaussaud, et. al.  
Application No. 10/054,041 Group No. 1725  
Filed: January 22, 2002 Confirmation No.: 1381  
For: PROCESS FOR PRODUCTION OF MOLECULAR SIEVE  
ADSORBENT BLENDS  
Examiner Christina A. Ildebrando  
Attorney Docket No. P-1084

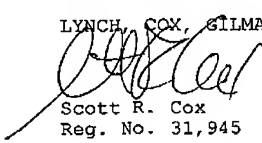
Dear Commissioner:

Pursuant to a telephone conference on January 21, 2004, with Examiner Ildebrando, I am resending to the USPTO for consideration an Information Disclosure Statement, which was originally filed on October 23, 2003, along with all foreign references cited therein. (Examiner Ildebrando stated that it was not necessary to include the U.S. references cited therein.) I also attach to this letter a copy of the front and back of the post card that was filed with the original IDS, that was stamped by the USPTO on October 27, 2003, showing that the IDS was previously received by the USPTO. Please forward this IDS with references to Examiner Ildebrando for review as soon as possible as the Issue Fee was recently paid for this application.

If you have any questions concerning this letter, please contact me.

Sincerely,

LYNCH, COX, GILMAN &amp; MAHAN, P.S.C.



Scott R. Cox  
Reg. No. 31,945

SRC:hh  
Enclosures

C:\WP\COR1\P1084\Z003.014  
33803

10/23/2003

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Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

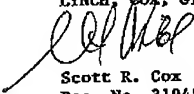
Please acknowledge receipt of the below identified:

INFORMATION DISCLOSURE STATEMENT WITH TRANSMITTAL, STATEMENT AND  
REFERENCES CITED with payment by check \$170.00

RE: Jaussaud, et. al.  
Application No.: 10/054,041  
Filed: January 22, 2002

For: Process for production of molecular sieve adsorbent blends and  
process for production thereof  
Atty Docket No.: P-1084

Respectfully submitted,  
LYNCH, COX, GILMAN & MAHAN, P.S.C.

  
Scott R. Cox  
Reg. No. 31945

VOLUFORMS

LYNCH, COX, GILMAN &amp; MAHAN PSC

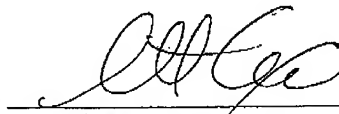
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Commissioner of Patents

TO  
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OFP-1084  
93805

⑈074964⑈ ⑆083000108⑆ 3095423244⑈

LYNCH, COX, GILMAN &amp; MAHAN PSC

DETACH AND RETAIN THIS STATEMENT  
THE ATTACHED CHECK IS IN PAYMENT OF FEES DESCRIBED BELOW.  
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

IDS Filing Fee, as revised 10/01/2003

P-1084  
93805

bsc

## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

In re application of:  
Jaussaud, et. al.

Serial No.: 10/054,041

Filing Date: January 22, 2002

Attorney Docket No. P-1084

For: PROCESS FOR PRODUCTION OF  
MOLECULAR SIEVE ADSORBENT  
BLENDS AND PROCESS FOR  
PRODUCTION THEREOF

Examiner: Ildebrando,  
Christina A.

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such. In accordance with 37 CFR §1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. This information is submitted in compliance with 37 CFR §1.98.

References:

US 5173462  
US 6183539B1  
EP 0826631  
EP 0519073 (abstract only)  
EP 0940174  
WO 0001478  
GB 827043  
JP 5147926 (abstract only)  
JP 11246214 (abstract only)  
FR 2678525 (abstract only)

Respectfully submitted,




\_\_\_\_\_  
Scott R. Cox  
Reg. No. 31,945  
LYNCH, COX, GILMAN & MAHAN, P.S.C.  
400 West Market St, Suite 2200  
Louisville, Kentucky 40202

CERTIFICATE OF SERVICE

I hereby certify that this Information Disclosure Statement is being deposited with the United States Postal Service in an envelope addressed to the Hon. Commissioner for Patents, Washington, D.C. 20231.

Date: 10-23-2003

  
\_\_\_\_\_

:SC  
Attachments

(Ref: 95-703 Pub. 605)

FORM 6-4

6-45

Practitioner's Docket No. F-1084**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: JAUSSAUD, et. al.Application No: 10/054,041

Group No.:

Filed: January 22, 2002Examiner: Iidebrando, Christina A.For: Process for production of molecular sieve adsorbent blends  
and process for production thereof

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
BEFORE MAILING DATE OF EITHER A FINAL ACTION  
OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(e))**

NOTE: 37 C.F.R. 1.97: "(c) An information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by one of:

- (1) The statement specified in paragraph (e) of this section; or
- (2) The fee set forth in § 1.17(p)."

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-47, 39).

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is mandatory;  
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37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 \*

☒ with sufficient postage as first class mail.☐ as "Express Mail Post Office to Addressee"

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**TRANSMISSION**☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Brennan S. Cox  
Signature

Date: 10-23-03Brennan S. Cox

(type or print name of person certifying)

\* Only the date of filing (§ 1.5) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.5(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [6-4]—page 1 of 3)

**NOTE:** 37 C.F.R. § 1.704(d): "A paper containing only an information disclosure statement in compliance with §§ 1.97 and 1.98 will not be considered a failure to engage in reasonable efforts to conclude prosecution (processing or examination) of the application under paragraphs (c)(8), (c)(9), (c)(10), or (c)(11) of this section if it is accompanied by a statement that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the information disclosure statement. This thirty-day period is not extendable."

**NOTE:** "If information submitted during the period set forth in 37 C.F.R. 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, if the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 708.07(e). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 C.F.R. § 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1139 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

**WARNING:** No extension of time can be had under 37 C.F.R. 1.135 (a) or (b) for filing an IDS. 37 C.F.R. 1.97(f).

#### TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed **after** three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:
  - (1) a final action under § 1.113 or
  - (2) a notice of allowance under § 1.311,whichever occurs first.

#### STATEMENT OF FEE

2. Accompanying this transmittal is

(check either A or B below)

A. ☐ a statement as specified in 37 C.F.R. § 1.97(e).

OR

B. ☒ the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$240.00).

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [6-4]—page 2 of 3)



(Rev 95-703 Pub 605)

FORM 6-4

6-47

**FEE PAYMENT***(complete this item, if applicable)*

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$~~240.00~~). **190.00**

Fee due \$ 190.00**METHOD OF PAYMENT OF FEE**

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- ☒ Attached is a ☒ check ☐ money order in the amount of \$ 190.00  
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A duplicate of this paper is attached.

  
SIGNATURE OF PRACTITIONERScott R. Cox*(type or print name of practitioner)*Reg. No. 31,945Tel. No.: (502) 589-4215400 West Market Street, Suite 2200

P.O. Address

Customer No.:

Louisville, Kentucky 40202

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [6-4]—page 3 of 3)

PTO/SB/08A (08-09)

Approved for use through 07/31/2008. OMB 0851-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449P/TO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 2

**Complete if Known**

Application Number	10/054,041
Filing Date	January 22, 2002
First Named Inventor	Joussaud
Art Unit	1728
Examiner Name	Ildibrando, C.A.
Attorney Docket Number	P-1084

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.†	Document Number Number-Kind Code‡ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	US-	5173462	12-22-1992	Plee	
	US-	6183539B1	02-06-2001	Rode	
	US-				
	US-				
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.†	Foreign Patent Document Country Code‡ Number* Kind Code§ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	1*
		WO 0001478	01-13-2000	RODE, E.J.		
		GB 827043	11-01-1957	UNION CARBIDE		
		JP 5147926(abstract)	06-15-1993	TAIZO, Kawamoto		
		JP11246214(abstract)	09-14-1999	TAIZO, Kawamoto		
		FR2678525 (abstract)	01-08-1993	APELT, Ursula		
		EP0826631 (abstract)	04-03-1992	FUNAKOSHI		

Examiner Signature	Date Considered
--------------------	-----------------

\* EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. † Applicant's unique citation designation number (optional). ‡ See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. § Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ¶ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \* Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \* Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2

1 of 2

**Complete if Known**

Application Number	10/054,041
Filing Date	January 22, 2002
First Named Inventor	Jaussaud
Art Unit	1728
Examiner Name	Ildebrando, C.A.
Attorney Docket Number	P-1084

## U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner  
Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). \* See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \* Enter Office that issued the document, by the two-letter code (WIPO Standard 87.3). \* For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \* Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST.16 is possible. \* Applicant is to place a check mark here if English language

Transitation is attached.

This collection of Information is required by 37 CFR 1.97 and 1.58. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time may vary depending upon the individual case. Any comments or suggestions for improvement should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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REFERENCES CITED with payment by check 070.00

RE: Janssen, et. al.  
Application No.: 06/054,091  
Filed: January 21, 2002  
For: Process for production of molecular sieve adsorbent blends and  
process for producing said blends from chemical

Atty Docket No.: P-1084

Respectfully submitted,  
LUNCH, COX, GILMAN & MARR, P.S.C.  
*[Signature]*  
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Reg. No. 31945

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